

Re: Application Number: 10/748,857

Filing date : 12-30-2003

Applicant: CORNFIELD, Randall

Art Unit: 3676

Confirmation Number: 6240

Examiner: WILLIAMS, MARK A

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

**DECLARATION OF RICHMOND LISSER UNDER 37 CFR 1.132**

Sir:

I, Richmond Lisser, declare as follows:

1. I have been in the houseware business for the past 47 years. For 36 years I was associated with a family business, D.H. Lisser & Company, a Canadian company specializing in the development, importation and national distribution of gourmet housewares imported from the four corners of the world.

2. In the family business I was Vice President of marketing and my specialty was the development and procurement of kitchen tools and gadgets. In this capacity, I traveled extensively to trade shows, within North America, Europe and Asia. I have attended over 250 different trade shows, visited more than 75 manufacturers overseas in the kitchen tool and gadget business and have developed hundreds of kitchen and household products in my career. Following

my involvement in the family business, for 11 years thereafter and until I retired I was the vice president of product development for a major international housewares firm, Trudeau Corporation.

3. There has been a need for a long time in the industry for a truly ergonomic handle for use with kitchen tools and gadgets as well as other "hand held" items. The approach taken by most designers and inventors is to create either a comfortable grip by introducing tactile materials, curved sections or finger grooves to make holding the tool easier and other various design and inventive elements.

More specifically, there are in essence two different types of handles, those that form a so-called pencil grip and those that form a so-called hammer grip. In addition, there are handles that have ribbed or countered sections that fall into either a pencil or hammer grip type. A pencil grip is created when the index finger and thumb are in close proximity to one another in relation to being held/applied onto a handle. The handle must be thin/narrow for a pencil grip; this type of grip is used for controlling a tool, where more motor control and dexterity are required. A hammer grip is the complete opposite, in that a more bulbous or massive handle is required for maintaining a firm grip on the handle. A hammer grip is used to retain control of the tool during usage, countering the weight being applied against the handle as well as being applied where force is required.

All the handles that exist today they are made for either a pencil or a hammer grip as the requirements for these two types of grip seem to be contradictory. The current mind set for handle design is that you make a handle for either a pencil or a hammer grip.

Hence, there is a long-felt need to have a handle in which a pencil grip and hammer grip exists at the same time, with no effort, special manipulation or change of one's hand position on the handle. From a consumer point of view,

such a handle would provide comfort, ease of use and increased dexterity, reducing wrist fatigue, slippage and improving general handling of tools. In addition, from a manufacturing standpoint, there is a need to find an all encompassing handle design to be applied to a multitude of hand held tools. However, despite the numerous efforts from many designers, no such handle currently exists.

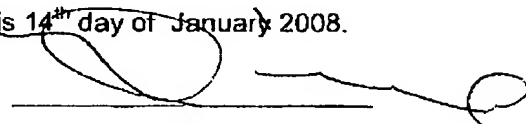
3. The claims of the above-referenced patent application are directed to an implement handle including a generally elongated and substantially rectilinear body defining a body longitudinal axis, a body forward end for connection to an implement head and a longitudinally opposed body rearward end, the body also defining a body top surface and a substantially opposed body bottom surface. The body defines an encirclable section located intermediate the body forward and rearward ends, the encirclable section being configured and sized so as to be graspable between at least a portion of a palm and at least a portion of at least either one of a middle, ring or small fingers at least partially encircling the encirclable section. The body top surface is provided with an identifiable thumb rest area located intermediate the encirclable section and the body forward end for contacting at least a portion of the distal pulp of the thumb, the thumb rest area defining a rest area forwardmost location. The body bottom surface is provided with a substantially concave indentation defining an indentation surface located intermediate the encirclable section and the body forward end for contacting at least a portion of one of the finger lateral surfaces of the index finger with the latter in substantially perpendicular relationship with the body longitudinal axis. The indentation surface has a substantially arcuate cross-sectional configuration defining an indentation first end located substantially adjacent the encirclable section and an indentation second end located substantially adjacent to the body forward end, the indentation second end defining an indentation end point, the body defining a cross-sectional first reference plane extending in a substantially perpendicular relationship with the body longitudinal axis and intercepting the indentation end point, the indentation

surface being configured and sized so that at least a section of the indentation surface is positioned forwardly relative to the first reference plane. The encirclable section has a substantially fusiform configuration tapering towards the body rearward end and tapering forwardly towards both the thumb rest area and the indentation.

A handle including the claimed features allows for different size hands to hold, grasp and manipulate it because of the thumb rest, which has an indentation that is not closed. This allows the thumb of different sized hands, to be positioned in multiple ways and always creating the same pencil grip (with the index finger below). In addition the section between where the thumb rest and the index finger goes is carved out so a pencil grip is automatically created. With the reversed guard created by the indentation surface, the index finger is immobilized in place with a firm connection with the thumb. The user's hand doesn't move, therefore there is no slippage. This handle also allows for the creation of a hammer grip by grasping firmly the encirclable section. The two types of grips are achievable without moving the hand of the intended user, which is a unique characteristic. Therefore, the claimed invention meets the long-felt need exposed in section 2 of this affidavit.

I, the undersigned, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed this 14<sup>th</sup> day of January 2008.

A handwritten signature in black ink, appearing to read 'Richmond Lisser', is written over a horizontal line.

Richmond Lisser